

REMARKS/ARGUMENTS

Claims 1-39 are pending in the present application. In the Office Action mailed October 11, 2006, the Examiner rejected claims 1-39 under 35 U.S.C. § 103.

Claim 14 has been amended to recite that the computer-executable instructions “are executable to” perform the various claim elements. Claims 15-24 have been amended to recite “[t]he computer product” of the previous claims. Claims 15-18 and 20-24 have been amended to recite that the “computer-executable instructions are further executable to” perform various claim elements. Claims 36-38 have been amended to recite “[t]he method” of the previous claims. Claims 10, 18 and 21 have been amended to correct typographical errors.

Reconsideration is respectfully requested in view of the above amendments to the claims and the following remarks.

A. Rejection of Claims 1-39 Under 35 U.S.C. § 103(a)

The Examiner rejected claims 1-39 under 35 U.S.C. § 103(a) based on Novell Single Sign-On, pp. 1-6, April, 1999 (hereinafter, “Overview”). This rejection is respectfully traversed.

The M.P.E.P. states that

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure.

The initial burden is on the examiner to provide some suggestion of the desirability of doing what the inventor has done. To support the conclusion that the claimed invention is directed to obvious subject matter, either the references must expressly or impliedly suggest the claimed invention or the examiner must present a convincing line of reasoning as to why the artisan would have found the claimed invention to have been obvious in light of the teachings of the references.

M.P.E.P. § 2142.

Applicants respectfully submit that the claims at issue are patentably distinct from the cited references. The cited references do not teach or suggest all of the limitations in these claims.

Claim 1 recites “terminat[ing] the active session on the one or more external systems.” Claim 1 also recites “terminating the session on the integration module.” Applicants respectfully submit that the Overview does not disclose, teach or suggest these limitations.

The Office Action asserts that the “Overview teaches … terminat[ing] the active session on the one or more external systems” and “terminating the session on the integration module.” Office Action, pages 2 and 3. In support of this assertion, the Office Action cited the “Secure Management through NDS” section of the Overview noting parenthetically the “session oriented security” and the fact that “the tunnel is torn down.” *Id.* at 3. The following portion of the Overview discloses the “session oriented security” and the fact that “the tunnel is torn down”:

Novell Single Sign-on uses session-oriented security, and each internal call from the enabled applications is considered a session from beginning to end. An encrypted “tunnel” is established for the session between client requests and server responses. After one such session is completed, the tunnel is “torn down” and a new tunnel will be established for the next client request. This mechanism guarantees the uniqueness of the session keys.

Overview, page 2. Apparently the Office Action is asserting that “the tunnel [being] ‘torn down’” is the same as “terminat[ing] the active session on the one or more external systems,” as recited in claim 1. However, nothing in this cited portion discloses, teaches or suggests “terminating the session on the integration module,” as recited in claim 1. Furthermore, the Office Action has not cited, nor can Applicants find, any portion of the Overview that discloses, teaches or suggests this limitation.

In view of the foregoing, Applicants respectfully submit that claim 1 is patentably distinct from the Overview. Accordingly, Applicants respectfully request that the rejection of claim 1 be withdrawn. Claims 14 and 25 include similar limitations as claim 1. Applicants respectfully request that the rejection of claims 14 and 25 be withdrawn for at least the same reasons as those presented above in connection with claim 1.

Claims 2-13 depend either directly or indirectly from claim 1. Claims 15-24 depend either directly or indirectly from claim 14. Claims 26-34 depend either directly or indirectly from claim 25. Accordingly, Applicants respectfully request that the rejection of claims 2-13, 15-24 and 26-34 be withdrawn for at least the same reasons as those presented above in connection with claims 1, 14 and 25.

The Office Action rejected claims 1-12 stating that “these features are well known in the art for the motivation of security.” Office Action, page 3. The Office Action also rejected claims 13-24 under this same reasoning. Id. The Office Action rejected claims 26-34 asserting that “the various features are well known in the art for the motivation of security.” Id. at page 4. The Office Action rejected claims 35-38 asserting that “these features (credentialing, etc.) are well known in the art for the motivation of security.” Id. Apparently, the Office Action is taking official notice of all of the elements recited in 1-24 and 26-38 as being “well known in the art.”

Applicants respectfully submit that the M.P.E.P. states that “[i]t would not be appropriate for the examiner to take official notice of facts without citing a prior art reference where the facts asserted to be well known are not capable of instant and unquestionable demonstration as being well-known.” M.P.E.P. § 2144.03. Furthermore, “[i]f such notice [*i.e.* notice unsupported by documentary evidence] is taken, the basis for such reasoning must be set forth explicitly. The examiner must provide specific factual findings predicated on sound technical and scientific reasoning to support his or her conclusion of common knowledge. M.P.E.P. § 2144.03 citing In re Soli, 317 F.2d 941, 946, 137 USPQ 797, 801 (CCPA 1963) and In re Chevenard, 139 F.2d 711, 713, 60 USPQ 239, 241 (CCPA 1943). The M.P.E.P. states that “[t]he applicant should be presented with the explicit basis on which the examiner regards the matter as subject to official notice and be allowed to challenge the assertion in the next reply after the Office action in which the common knowledge statement was made.” M.P.E.P. § 2144.03.

Applicants respectfully submit that merely asserting that all limitations of thirty seven different claims are “well known” is not explicitly setting forth the basis for such reasoning. Furthermore, the Office Action has not “provide[d] specific factual findings predicated on sound

technical and scientific reasoning to support his or her conclusion of common knowledge” as required by the courts and the M.P.E.P. “The goal of examination is to clearly articulate any rejection early in the prosecution process so that the applicant has the opportunity to provide evidence of patentability and otherwise reply completely at the earliest opportunity.” M.P.E.P. § 706. Furthermore, “[i]t is important for an examiner to properly communicate the basis for a rejection so that the issues can be identified early and the applicant can be given fair opportunity to reply.” M.P.E.P. § 706.02(j).

Without a clearly articulated rejection explicitly setting forth a basis supported by specific factual findings predicated on sound technical and scientific reasoning, Applicants are forced to guess whether the Office Action has even appropriately taken “official notice” such that Applicants may traverse such a position. Therefore, if the next Office Action maintains this rejection, Applicants respectfully request that the Office Action present the explicit basis for taking “official notice” so that Applicants may properly traverse these rejections.

Claim 39 recites “tracking the actions of the user on both the external system and the integration module.” Applicants respectfully submit that the Overview does not disclose, teach or suggest this limitation.

The Office Action asserts that “[r]egarding claim 39, this claim is the same as claim 1 except for the user module. Such user modules are well known in the art for the motivation of providing convenient access to the user.” Office Action, page 5. Applicants respectfully submit that though claims 1 and 39 include some similar limitations, they are distinct claims. For example, claim 39 recites “tracking the actions of the user on both the external system and the integration module.” Claim 1 does not recite this limitation, as recited in claim 39. Furthermore, the Office Action has not cited, nor can Applicants find, any portion of the Overview that discloses “tracking the actions of the user on both the external system and the integration module,” as recited in claim 39. Therefore, Applicants respectfully submit that claim 39 is patentably distinct from the Overview. Accordingly, Applicants respectfully request that the rejection of claim 39 be withdrawn.

In view of the foregoing, Applicants respectfully submit that claim 39 is patentably distinct from the Overview. Accordingly, Applicants respectfully request that the rejection of claim 39 be withdrawn.

Claim 35 recites “receiving at an external system a de-authentication request from the integration module” and “terminating the session on the external system.” Applicants respectfully submit that the Overview does not disclose, teach or suggest these limitations.

As shown above, the Office Action did not provide an explicit basis for rejecting claim 35, other than to merely state that “these features (credentialing, etc.) are well known in the art for the motivation of security.” Office Action, page 4. Furthermore, unlike the rejection of claim 39, the Office Action does not assert that claim 35 is “the same as” any of the rejected claims. Apparently, the Office Action is asserting that claim 35 contains the same limitations as the rest of the claims. Applicants respectfully submit however, that claim 35, like claim 39, is a distinct claim. For example, claim 35 is the only independent claim that recites “receiving at an external system a de-authentication request from the integration module.”

Because the Office Action has not provided explicit grounds for taking official notice against claim 35 or explicit grounds for establishing the rejection, Applicants are forced to guess what the Office Action intended. Applicants assume that the Office Action is asserting that the “tunnel is torn down” portion of the “Secure Management through NDS” section of the Overview discloses this limitation. However, the Office Action has previously made the apparent assertion that this portion discloses “terminat[ing] the active session on the one or more external systems,” as recited in claim 1. Furthermore, nothing in this portion discloses, teaches or suggests “receiving at an external system a de-authentication request from the integration module,” as recited in claim 35. Additionally, the Office Action has not cited, nor can Applicants find any portion of the Overview that discloses, teaches or suggests this limitation.

In view of the foregoing, Applicants respectfully submit that claim 35 is patentably distinct from the Overview. Accordingly, Applicants respectfully request that the rejection of claim 35 be withdrawn.

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Amdt. dated January 11, 2007
Reply to Office Action of October 11, 2006

Claims 36-38 depend either directly or indirectly from claim 35. Accordingly, Applicants respectfully request that the rejection of claims 36-38 be withdrawn for at least the same reasons as those presented above in connection with claim 35.

B. Conclusion

Applicants respectfully assert that all pending claims are patentably distinct from the cited references, and request that a timely Notice of Allowance be issued in this case. If there are any remaining issues preventing allowance of the pending claims that may be clarified by telephone, the Examiner is requested to call the undersigned.

Respectfully submitted,



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Date: January 11, 2007

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